

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL
RECEIVED
JUN 13 1997
Federal Communications Commission
Office of Secretary

In the Matter of)

Advanced Television Systems)
and Their Impact Upon the)
Existing Television)
Broadcast Service)

MM Docket No. 87-268

To: The Commission

PETITION FOR RECONSIDERATION

Grant Broadcasting Group ("Grant") respectfully submits this petition for reconsideration of certain portions of the Commission's Fifth Report and Order and Sixth Report and Order in the above-captioned docket.¹ Grant is the umbrella name for eight companies commonly-controlled by broadcaster Milton Grant. These companies are the licensees of eight UHF television stations located in the eastern and midwestern regions of the country.²

Of paramount concern to Grant is the disparity in service areas between VHF and UHF broadcasters which will result from the Commission's replication policy. As Grant stated in its November 1996 Comments, limiting DTV coverage to that which is comparable to a

¹ The Chief, Office of Engineering and Technology, issued an Order permitting the filing of a single petition addressing both the Fifth and Sixth Reports and Orders. DA 97-1193, released June 5, 1997.

² They are: WZDX(TV), Huntsville, Alabama, licensed to Huntsville Television Acquisition Corp.; KJMH(TV), Burlington, Iowa, licensed to Burlington Television Acquisition Corp.; KLJB-TV, Davenport, Iowa, licensed to Quad Cities Television Acquisition Corp.; WFXR-TV, Roanoke, Virginia and WJPR(TV), Lynchburg, Virginia, licensed to Grant Broadcasting System II, Inc.; WNYO-TV, Buffalo, New York, licensed to Grant Television Inc.; and WLAX(TV), La Crosse, Wisconsin and WEUX(TV), Chippewa Falls, Wisconsin, licensed to Grant Media Inc.

No. of Copies rec'd
List A B C D E

029

station's NTSC coverage prolongs inequities which result from the more favorable propagation characteristics of the VHF NTSC signal, as compared to the UHF NTSC signal. Grant believes it will serve the public interest to allow all stations to maximize coverage to eliminate such disparities. Moreover, the implementation of the replication policy has resulted in magnifying existing VHF/UHF inequities because of the substantial differentials in power level that have been established for analog VHF stations relocating to the UHF band vis a vis analog UHF stations operating in the UHF band. In this connection, Grant is also a signatory to a Petition for Reconsideration being filed by several broadcasters on the grounds set forth in a Petition for Reconsideration being filed simultaneously by Sinclair Broadcast Group, Inc. which argues, among other things, that the Commission should abandon its current replication approach.

As discussed specifically herein, Grant is concerned that the allotment made to its Buffalo, New York station (WNYO-TV) may result in blanketing interference. In addition, Grant urges the Commission to reach a firm agreement with Canada on U.S. DTV allotments so that U.S. stations are not precluded from future station upgrades. More generally, Grant is also concerned that the Sixth Report and Order is not specific regarding certain technical data and assumptions, and this lack of information has made it difficult, if not impossible, for stations to assess their DTV assignments.³ Clarification of these matters will help to avoid confusion and improve smooth implementation of DTV service.

³ Grant accordingly must reserve its right to supplement this petition when additional information is made available by the Commission.

WNYO-TV, Buffalo

The Commission has allotted DTV Channel 34 to WNYO-TV, presently on NTSC Channel 49. NTSC Channel 2 in Buffalo, the NBC affiliate, has been allotted DTV Channel 33. According to Appendix B of the Sixth Report and Order, NBC's Channel 33 will have 1000 kW DTV power, while Channel 34 will have 142.6 kW DTV power. Grant is concerned that, with such a great disparity in power between these first-adjacent channel stations, WNYO-TV will experience severe blanketing interference from Channel 33's operation. Moreover, since Channel 33 is the NBC affiliate and will accordingly make the transition to DTV before WNYO-TV, Channel 33 may argue that it is not obligated to help cure WNYO-TV's blanketing interference problems — which will arise only when Channel 34 operation begins. For this reason, Grant urges the Commission to clarify that WNYO-TV and other similarly situated stations will be able to increase power to avoid such interference problems.

Canadian Concerns

Grant is also concerned that the Commission has not yet reached a final decision with Canada regarding allotments in the border areas. Grant cannot fully evaluate its Channel 34 assignment in Buffalo without knowing what allotments the Canadians may be considering for their stations. Moreover, while the Commission states in the Sixth Report and Order that it believes that the DTV Table will be "generally acceptable" to both the Canadians and the Mexicans and that "only minor adjustments will be necessary," Grant is concerned that Canada may try to restrict U.S. border stations permanently to the lower power levels assigned for the transition period — effectively precluding future station upgrades. Grant urges the Commission to negotiate with Canada for full power operation of U.S. DTV stations in border areas and to

expedite completion of the coordinated tables with Canada so that U.S. stations may properly plan their transition to DTV and their future facilities modifications.

Conclusion

In sum, Grant respectfully requests that the Commission clarify that DTV Channel 34 in Buffalo be permitted to increase power to avoid blanketing interference problems from first-adjacent DTV Channel 33. In addition, it urges the Commission to reach agreement with Canada concerning Canadian and U.S. DTV stations. Finally, it asks the Commission to clarify the technical assumptions underlying the Sixth Report and Order so that stations can reliably evaluate their DTV allotments and proceed without uncertainty to implement DTV service. As part of this process, Grant urges the Commission to examine closely the merits of its replication policy to ensure that those stations with smaller service areas will not be prevented from maximizing their coverage.

Respectfully submitted

GRANT BROADCASTING GROUP

By: Milton Grant
Milton Grant
President

Dated: June 13, 1997